

AO 91 (Rev. 08/09) Criminal Complaint

SOUTHERN DISTRICT OF MISSISSIPPI	
FILED	
MAR -8 2017	
BY	ARTHUR JOHNSTON DEPUTY

# UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

United States of America

v.

Case No. 2:17mj3-MTP

Kelly Denise Ibanez

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 6, 2017 in the county of Jones in the Southern District of MS, Eastern Division, the defendant(s) violated:


*Code Section*  
21 U.S.C. § 841(a)(1)

*Offense Description*  
Possession with Intent to Distribute a Controlled Substance, to wit, cocaine hydrochloride.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

  
Complainant's signature  
David Ward, Task Force Agent, DEA  
Printed name and title

Sworn to before me and signed in my presence.

Date: MARCH 8, 2017

  
Judge's signature  
Robert H. Walker, United States Magistrate Judge  
Printed name and title

City and state: Gulfport, Mississippi

## **AFFIDAVIT**

I, David Ward, being first duly sworn, state as follows:

### **Introduction**

I am a Task Force Officer (TFO) with the United States Department of Justice, Drug Enforcement Administration (DEA). I have been a Task Force Officer with the DEA since January 2016. I have a total of 16 years law enforcement experience. I have been employed by the Jones County Sheriff's Office since 2010. I am currently assigned to the Forrest County M.I.T. located in Hattiesburg, Mississippi. During the course of my employment, I have participated in numerous investigations of illegal narcotics trafficking and violations of Title 21 United States Code.

### **Probable Cause Factual Basis**

Your affiant states that on March 6, 2017, Jones County Sheriff's Department Interstate Interdiction Unit initiated a traffic stop on a vehicle traveling North bound on Interstate 59 near mile marker 95 for careless driving. The vehicle was a white 2016 Jeep Compass with the Texas Tag HCD4707. Upon approach of the vehicle, deputies noticed the odor of marijuana coming from the vehicle. Deputies identified the driver of the vehicle as Kelly Denise IBANEZ. The Deputies then obtained a written consent to search from IBANEZ. Deputies searched the vehicle and found three packages under the spare tire, in the cargo area of the vehicle. Deputies took photos of the packages in place and cut one of the packages open. The substance inside the package field tested positive for cocaine. Deputies then called agents with the Forrest County Major Investigations Team.

Agents with Forrest County Major Investigations Team arrived at the Jones County Sheriff's Department maintenance shop and the female was transported to the same location. The agents positively identified the female as Kelly Denise IBANEZ. Agents read IBANEZ her Miranda Rights. IBANEZ stated she understood her rights and she stated that she would answer questions. IBANEZ stated she knew what was in the vehicle. IBANEZ stated that it was cocaine. IBANEZ stated she was taking the packages to McCalla, Alabama to a male named "G." IBANEZ also gave written consent to search her iPhone. IBANEZ stated that this was her second trip from Houston, Texas to McCalla, Alabama.

Agents weighted each package individually. The first packaged weighed 1225 grams, the second weighed 1215 grams, and the third weighed 1215 grams. The total amount of cocaine was 3.655 kilograms. Deputy George Dominguez tested the substance through Jones County Sheriff's Department Mass Spectrometer. The substance alerted to the presence of cocaine.

**CONCLUSION**

Based upon my experience as a DEA Task Force Officer and the facts listed above involving Kelly Denise IBANEZ, it is my opinion that there is probable cause to believe that Kelly Denise IBANEZ did possess, with the intent to distribute, 500 grams or more of a mixture or substance containing a detectable amount of cocaine in violation of Title 21 U.S.C. 841 (a) (1) in the Southern District of Mississippi.



David Ward  
Task Force Officer  
Drug Enforcement Administration

Sworn and subscribed to me this 8<sup>TH</sup> day of MARCH, 2017.



UNITED STATES MAGISTRATE JUDGE